


Rodney Belle Jr.  
c/o P.O. Box 352  
Spring Valley Ca [91976]

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CLERK US DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA  
BY  DEPUTY

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

09 CV 2563 WQH

POR

RODNEY BELLE Jr.

Plaintiff

vs.

DUETSCHKE BANK TRUST COMPANY,  
Ameriquest Mortgage,  
Debra Bass, Captain O'Hara of  
the Temecula Police Department,  
Century 21 and Associates 1-100  
Johnny Espana of ERA Regency  
Realtor, Lieutenant Judge,  
Don Fortney, Veronica RICO, of  
Riverside Sheriff Department.  
*Anderson #3947*  
Defendant

) Case No.  
) Federal Tort Claim Act.  
) A public Accommodations suit,  
)  
) Action Seeking to Enforce public  
) Accessibility, Community of Interest of  
) the General Public at Large, under the  
) Private Attorney General Bill,  
) that Enforce, Police Brutality &  
) RICO Corrupt Organization, Self  
) Help to cover up Security Fraud of  
) Foreign unregistered Securities  
) that has no assignment of CUSIP  
) Number/ Unfair or deceptive Act  
) or practice from a Mortgage Lender  
) Act, Perpetrate Out right Fraud,  
) Breach of Duty, of Consumers  
) Protection Act of 1974, Corrective  
) Policies against Predatory  
) Lenders.

Request of Special Grand Jury  
Investigation and Indictments  
[Impeachment] for Violation and  
Obstruction of Proceeding of  
Legislative.

THE PLAINTIFF, RODNEY BELLE Jr.

Has Reviewed the [civil]Criminal Complaint, and Reserved All Right  
Waiver None Ever to File, under the Private Attorney General Bill &  
Statutes, California Business and Professions code, Section  
17204 and Section 17535. The United States Supreme Court,  
United States Congress, and United States Senate, Has passed law

1 with "private Attorney General" Bill Provisions that provide for  
2 the enforcement of law -Prohibiting: Employment Discrimination,  
3 Police Brutality and Water Pollution, Clean Water Act and  
4 Criminal Enterprise Act.

5  
6 ( RICO) Racketeer Influenced and Corrupt Organizations Act.

7  
8 "A public Accommodations suit",

9 This Government Tort Action Seeking to enforce public  
10 accessibility, and Community of Interest of the General Public  
11 at Large , Reservation of Rights, waiver of rights, none ever  
12 to Class Action Complaint for Damages ,Fee, cost, Rights to  
13 Consolidation/ Joinder of claims to absent class member,  
14 Declaratory , Injunctive and other Relief ,and a state a claim  
15 of Relief under Clearfield Doctrine, and Security and Exchange  
16 Commission of 1933 and 1934, before a Well Inform Common Law  
17 Jury Trial, Guarantee under the 7<sup>th</sup> amendment of the Constitution  
18 for the united States of America, which also Guarantee, a  
19 Special Appointment of a Article III Court & Judges, and  
20 Received order to recover Attorney fee under code of civil  
21 Procedures Section 10215 .

22  
23 This Information of the name defendant, Obstructing  
24 Legislative Proceeding joinder of claim in Pending Class Action  
25 suit DUETSCHKE BANK TRUST COMPANY , Ameriquest Mortgage and  
26 Cohorts, Associates spurious Attempt to cover up bogus  
27 Foreclosure by third parties who foreclosure before the original  
28

1 schedule date , due to Rescission of from the Original Trustor  
2 mention the original loan/ Foreign Securities was not properly  
3 register with assignment of CUSIP Number, a Direct Violations of  
4 its Bank Charter and the Security and Exchange Commission , all  
5 Malfeasant names listed in above included Cohorts in associates  
6 in Self Help should be subjected to this Federal Tort Claim  
7 Violation, and International Treaties, Violations includes but  
8 are not limited to Negligence, Negligence Per Se, Securities  
9 Violation of Bank Charter and Willful Negligence by doing  
10 business with the sell or trade of None Register of Foreign  
11 Security, Conspiracy Racketeering, Conspiracy to interfere with  
12 Civil and (Human Right) of each class members, and the General  
13 Public Consumers at large, and other Intentional Tort, and  
14 obstruction of Justice, etc.

15  
16 The Private Attorney General Bill, that Protect the Public,  
17 Interests through private litigation and Judicial Remedy for the  
18 Consumer Grievance, this Class Action are Domestics,  
19 ( U.S. Citizen and or Residents, Foreign State National).

20  
21 The District of Columbia Human Right Act of 1977, title 6  
22 chapter 22, the supervision process for homeowner is not  
23 Guarantee in the 50 Republic states, only the District of  
24 Columbia and some 29 states, leaving the General Public at  
25 Large, victim to Unfair or deceptive Act or practice from a  
26 Mortgage Lender Act, Perpetrate Out right Fraud, Breach of Duty,  
27 of Consumers Protection Act of 1974, Corrective Policies against  
28

1 Predatory Lenders.

2  
3 The Private Securities litigation Reform Act of 1995.  
4 Pub. L. 104-67, 109 STAT. 737(codified as amended in scattered  
5 section of 15 USC ("PSLRA) implemented.

6 **PARTY OF INTEREST**

7 The Plaintiff at all time mention: RODNEY BELLE Jr.  
8 Acting PRIVATE ATTORNEY GENERAL

9 vs

10 The Defendants at all time Mention: DUETSCHKE BANK TRUST  
11 COMPANY, Ameriquet Mortgage, Debra Bass, Captain O'Hara of the  
12 Temecula Police Department, Century 21 and Associates 1-100  
13 Johnny Espana of ERA Regency Realtor, Lieutenant Judge , Don  
14 Fortney, Veronica RICO, of Riverside Sheriff Department.

15  
16  
17 A Claim of Relief can be Granted by The Follows:

- 18 1) the Security and Exchange Commission of 1933 &34  
19 2) Clearfield Doctrine & the General Accepting Accounting  
20 Principle  
21 And 3) Stare Decisis  
22 4)Vertical Stare Decisis  
23 5) Horizon Stare Decisis

24 In order for a crime to exist, four elements must exist.  
25 First there must be a clearly defined crime or civil /criminal  
26 action. Second, there must be a victim. Third that the victim  
27 must have been damaged or injured, and fourth, the criminal  
28 intent must be established on the part of the accused. Without

1 proof of all four elements, no action can be considered civil  
2 crimes.

3  
4 The Defendant DUETSCHKE BANK TRUST COMPANY , Nominee Trustees  
5 for Ameriquet Mortgage Company loan service company or lenders  
6 is RICO enterprise should be subject to 28 USC sec 4 of the  
7 commission of crimes cognizable by a court of the United States.  
8

9 Title 18 USC sec 513 mentions: "Whoever makes, utters, or  
10 possesses a counterfeited security of a State or political  
11 subdivision thereof or of an organization, or whoever makes,  
12 utters, or possesses a forged security of a state or political  
13 subdivision thereof, organization with intent to deceive another  
14 person, organization, or government shall be fined not more than  
15 \$250,000 or imprisoned not more than ten (10) years or both."  
16

17 Among securities defined at

18 18 USC sec 2311 is included: "evidence" of indebtedness, which  
19 in a broad sense may mean anything that is due and owing, which  
20 would include a DUTY, OBLIGATION, OR RIGHT OF ACTION.  
21

22 **Conspiracy-**

23 A confederation of two or more individuals who may not know  
24 each other but by their joint effort, commit some unlawful or  
25 criminal act. (Black's Law Dictionary). Multiple officials,  
26  
27  
28

agents, and other persons named properly noticed by the attached commercial affidavit

### Racketeering

Is the combination of the above identified crimes. Title 18 United States Codes Section 1961 (RICO) defines it as involving a host of patterned criminal actions that includes but is not limited to an act or threat of murder, kid napping, gambling, arson, and as in the instant case, robbery, bribery, extortion, Fraud, slavery, misrepresentation, etc.

### Fraud- Misrepresentation

Permitting shown and demonstrated Acts under the Status of fraud and (violation of its Bank Charters)Actively participating in a scheming conspiracy of untruths and misrepresentation to deceived the Public at Large and those who entrusted themselves in dealing in good faith, while specifically acting in deliberate bad faith within such fraud was shown (Cal. Penal Code sec. 532 18 USC 1001).

**The Ninth Circuit Court of Appeal has states:**

**Stare Decisis is the Policy of the Court to stand by Precedent;**

The term is but an abbreviation of stare decisis et quita non moveer to stand by and adhere to decision and not disturb what

1 is settled, Maintain what has been decided and not Alter that  
2 which has been established is legal principle by which Judge are  
3 obligated to Obey the Precedent established by prior decision.

4 And (B) Clearfield Doctrine

5  
6  
7 THE CLEARFIELD DOCTRINE WAS RECORDED IN THE AMERICAN LAW REPORT OF  
8 1938.

9 THE DOCTRINE EXPLAINS: ERIE RAILROAD COMPANY V. HARRY J. TOMPKINS.

10 United States Supreme Court- April 25, 1938

11 (-U. S.- ,82 L. ed. (Adv. 787), 58 S. Ct.-.)

12 Courts. § 377 – duty of Federal Courts to follow State decisions on matters of general law.

- 13  
14 1. The Phrase "laws of the several states" in the provision of § 34 of the Federal Judiciary  
15 Act of September 24, 1789, chap. 20, 28 U.S.C.A. § 725, that the laws of the several  
16 states, except where the Constitution, treaties, or statutes of the United States otherwise  
17 require or provide, shall be regarded as rules of decision in trials at COMMON LAW, IN  
18 THE COURTS OF THE United States, in cases where they apply, cannot constitutionally  
19 be construed as excluding in matters of general jurisprudence the unwritten law of the  
20 state as declared by its highest court. Swift v. Tyson, 16 Pet. 1 10 L. ed. 865,

21  
22 Inquiry why the General Public at Large, is not Guarantees full  
23 Disclosure per- the Freedom of Information Act of each lender  
24 alleged Bank Charters from the Secretary of state, and full  
25 Disclosure (The Promissory Note/deed of Trust is Properly  
26 Register with a CUSIP Number according to the Security and  
27  
28

1 Exchange Commission of 1933, and American Banker Association  
2 Trademark) and the General Public at Large and the Follows:

3  
4  
5  
6 fact

7 1) The Affirmative Fact after Federal Judge Boyko Dismiss  
8 Hundred of Bogus Foreclosures (Promissory Note without A CUSIP  
9 Number is Not Register of Foreign Security ,Securities fraud and  
10 Direct Violation of the Security and Exchange Commission ,  
11 meaning why Federal Judge Boyko Chastised the CEO said name  
12 Defendant DUETSCHKE BANK TRUST COMPANY Nominee, Successors  
13 Trustee and or Nominee Lenders for Ameriquest Mortgage Company  
14 loan servicing Company lack standing to bring Foreclosures  
15 against the consumers nor the public at large, and Knowing the  
16 essential fact the Emergency Bankruptcy of 1933, prohibited the  
17 lending of lawful money or emit letter of credit and defendants  
18 Mortgage company is missing key Documents and Proper register of  
19 securities, according to there Bank Charters that does not  
20 Authorized defendants to lend , Loan Lawful Money , Emit Letter  
21 of Credit and Counterfeit Securities by Emit of Letter of Credit  
22 and Creating a None Register Promissory Note with NO CUSIP  
23 Number , per- The Security and Exchange Commission of 1933 and  
24 1934 .

25  
26 2. The Plaintiffs Rodney Belle Jr. Attest and further  
27 Declared after federal Judge Boyko Chastised the Duetsche Bank/  
28



1 Ameriquet Mortgage who Fear of Criminal Indictment and  
2 Prosecution for securities Fraud of Foreign security none  
3 original Trustee Duetsche Bank Trust Company Received by Process  
4 Server at place of business a Quiet Title Action from the Former  
5 Owner from the same Federal United States District Court, in a  
6 Spurious Attempt the CEO Duetsche Bank Trust Company/Ameriquet  
7 Mortgage Foreclosures before the Original 90 day Sale date ,  
8 Knowing purchase of the foreign none register securities in  
9 question , the are credibly informed and believe, and upon  
10 such information and belief allege, defendant Negligence / SELF  
11 HELP and False arrest for Predator Insolvent Lenders was willful  
12 and operation under the color of state law and office with the  
13 intent, to cause harm to the owner and successor, by breach of  
14 duty, by failed to give full Reconveyance, once the contract has  
15 been executed, in and to the real estate, or a portion thereof,  
16 and is made a party Defendant herein by name Captain Ohara of  
17 Marietta Police and Sheriff , was unaware a independent official  
18 had call the state judge and mention to release all parties who  
19 was falsely arrested ,private Attorney General Belle was called  
20 by the sheriff to come to the property and bring his document,  
21 only after he discovery the captain was not going to be present,  
22 and he mention he on his way to the captain office was he  
23 arrested several minute later, and the official mention also to  
24 the state court Judge Mary was on the street and the sheriff ask  
25 mention to go in to get any personal thing and then arrested her  
26 and brought up false charges, solicitation for Insolvent

1 Deutshche Bank and Trust/Ameriqurest Mortgage company as the same  
2 can be ascertained .  
3

4 4. The Plaintiffs Rodney Belle Jr are credibly  
5 informed and believe, Omissions and Breach of its bank charters  
6 and upon such information and belief allege, that each of the  
7 Defendants named herein was a corporation in the State of  
8 California and do have a place of business within the State of  
9 California or that each of the Defendants named herein are  
10 residents of a state other than the State of California.  
11

12 5. Plaintiffs Rodney Belle Jr. are credibly  
13 informed and believe, and upon such information  
14 and belief allege, the former owner surrender  
15 letter & keys to the Premise in dec. 2007 ,  
16 according to the court order to the landlord who  
17 according to the County Records Crystal and Ken  
18 Franklin.

19 Third Parties Trustee Duetsche Bank Trust Company/Ameriqurest  
20 Mortgage aka Loan Serving Company by means of self help and a  
21 Conventional Victory in state court small claim court, battle  
22 with the Franklin family for 3 or 4years, and under the Color  
23 of office and state law, Debra Bass Attorney at Law  
24 Misrepresent state court in a Vexatious Litigant by continue  
25 to filed suit in Mrs. Ashley Names and Omit to the Franklin  
26 Family , Knowing state Clerk will infer or implied the  
27 Franklin is not a Parties to the case , even thou they may be  
28

1 listed as Does 1-6 , Malfeasants Debra Bass has No Standing to  
 2 act as Spokespersons for the Fictitious Corporation names  
 3 Defendants, for California State Commission, nor the Secretary  
 4 of State Never issue a License to Mrs. Debra Bass (FELON)  
 5 Title of Nobility to Practice law in the Republic of  
 6 California , the Extra-Territory Border of the District Of  
 7 Columbia aka the United States, and to add insult to injuries,  
 8 **Malfeasant Mrs. Bass should be subject to this Government Tort**  
 9 **, for Outrageous and Unethical Business Practice of Declared**  
 10 **Domestic War on the General Public at Large, for Ignore the**  
 11 **Notice of Removal/Notice of Condemnation aka Eminent Domain**  
 12 **and Joinder of Class Action Lawsuit.**

13  
 14 6. Each of the Defendants herein named makes some  
 15 claim adverse to the , and or of the Plaintiffs  
 16 Criminal action for Special Grand Juries  
 17 Investigation and Indictment for the Direct  
 18 Violation and Obstruction of Legislative  
 19 Proceeding , now has been converted into Police  
 20 Brutality and Perhaps the Impeachment of the  
 21 Captain Ohare Temecula police department, and  
 22 Captain of Riverside Sheriff department , self  
 23 help and entrapment and False Charges under EX  
 24 POST FACTO LAWS Abolished by the US Supreme Court  
 25 against Private Attorney General Belle Senior to  
 26 hinder the Real Class Action /Real Issue at hand  
 27 of Duetsche Bank and Trust / Ameriquest Mortgage

Company are in Violation of its Bank Charters by  
lending Lawful Money and or Failed to Properly  
Registers Securities [Promissory Note with CUSIP  
Number ] in harmony the Security and Exchange  
Commission of 1934.

The Plaintiff Rodney Belle Jr. further affirms , that the  
Captain of the Sheriff Department and Police Department are Co-  
conspirator in this Corrupt RICO Enterprises , reason why false  
charges of Residential Burglary and Conspiracy charges in [None  
**Article III Court Per Separation of Powers** ] **Article II Court**  
**Coast Guard Court of Military Review**  
**R. Belle Sr. 200948586 and (first citations sw09295041) , M.**  
**Bochum 20094892 R. Belle Jr. 200948585, R. Garcia**  
**2009SW093020021, accepted for Value in said amount listed**  
**below, in Exchange with my Exemption Per-Treasury Direct Account**  
**CUSIP Number** said defendants knew or should had know the class  
action by Belle Sr. Shade Light on the Willful Unethical  
Business Practice of these Predatory Insolvent Lenders and how  
they misleading statement and Omission of the nature of the loan  
, to the General Public alleged to pre- qualification for the  
loan of the own money created by they promissory Note the Public  
sign, they never disclosed the a check book entry is a direct  
violation of the General Accepting Accounting Principal was  
omitted and any claim to the contrary is untrue statement ,

1 includes any material fact of full disclosure of its Bank  
2 Charters, with the Secretary of State Breach by None  
3 Performance, Breach of Trust and duty with the Fraudulent  
4 Intent by doing business with the consumers and by willfully  
5 failed to give full Disclosure of bank charter/loan serving  
6 company charters, and eject the general public and Record  
7 Document said Property is use for Public uses, not to mention  
8 Insolvent Lender Ameriquest Mortgage Company/ Duetsche Bank and  
9 Trust Fully understand 1967 -First National Bank of Montgomery  
10 vs Jerome Daily ,after bank President mention he created the  
11 Money out of the thin air and judge mention that sound like  
12 fraud and Mr. Daily was awarded his Property .  
13  
14

15 6 The Plaintiff Rodney Belle Jr. further affirms , Rodney  
16 Belle Senior filed a Class Action Lawsuit against Duetsche  
17 Bank and Trust company, wherefore the Former Owner Mrs.  
18 Ashley Join as Class Member along with the Franklin  
19 Family, all parties including the California Attorney  
20 General office was service, Private Attorney General Belle  
21 Senior Posted in Local Newspaper and Posted on the Window,  
22 Caveat notice

23 To the Agent is notice to the Principal, on or Around Oct.  
24 22, 2009

25 When Private Attorney General Belle Senior request for a  
26 citizen arrest to be made upon the Realtor of Century 21 for  
27 Trespass , and in Good faith attempted to show the class  
28

1 action the Riverside Sheriff Department , Declared  
2 Obstruction of Justice, Falsely arrest Private Attorney  
3 General Belle Senior [ a Direct Violation of the Private  
4 Attorney General Bill "Police Brutality" and Unfruitful  
5 Arrest Penal Code 813-818], for their was Plenty of Time to  
6 get a Summon , Complaint and sign Warrant for a Magistrate.

7 Private Attorney General Belle Senior was later release  
8 with a Citations for Obstruction, and the Truth of the Matter  
9 its was the Sheriff Department that was obstructing  
10 Legislature Proceeding, Knowing the Original Owner has  
11 joinder of her state action to the state class action lawsuit  
12 were both the Plaintiff and Defendants are all the same.  
13 wherefore the Supreme Court , Congress and the Senate Grant  
14 the Private Attorney General the Right to Enforce Corrupt and  
15 RICO Enterprise, the sheriff Department Know or Should Had  
16 Know , Once the Cause of Action has been Removed to Federal  
17 Court for over 5 month and once Remanded the Parties still  
18 has to answer per- 28 USC 1446 section 576 Termination of  
19 state action, and the Defendants did Answer by Declared  
20 Condemnation on said Property, Eminent Domain and Removal  
21 back to Federal Court .

22 Requesting the Impeachment of Both the Captain of the  
23 Sheriff Department and Police of Temecula, for The General  
24 Public at large is in Jeopardy , the Sheriff and Police  
25 Department did not have time to get a summon , Complaint  
26 and sign Warrant from a Magistrate, the Entire Time they  
27 stage a Quasi-Military Crime scene and Block was cut off  
28

1 for hour and sheriff department had time to call the News  
2 People was their taken picture of me after they , cut off  
3 the Electricity and Kick Down the Door and Not once show me  
4 a Court Order, it became clear to me once they call Private  
5 Attorney general Belle Senior to come to the house to show  
6 his documents, and he mention I wanted three day and the  
7 captain didn't call is the Captain there and he further  
8 inquiry to the lieutenants Don Fortney# 2529 are you going  
9 to called the captain , the lieutenants reply No!

10 .....private Attorney General Belle Senior mention I'm on  
11 my way to the Captain office and Several minutes he was  
12 arrested for Residential Burglary and Conspiracy, Mary and  
13 Sallie mention they were standing in front road block and  
14 sallie try to show that she had a interest in the property  
15 and the former owner surrender the keys and the premises,  
16 she later reveal one of the officer said things is going to  
17 get very interesting and taken mary and sallie around the  
18 corner and the girls had to walk back and they sheriff  
19 mention they could not make a citizen arrest on the agents  
20 of Century 21 because they are across the street, but  
21 sallie can get what ever personal things and they mention  
22 can go , they mention the same to mary to get what ever  
23 personal things and once mary enter into the property the  
24 sheriff and Police arrested mary on the spot/ Entrapments.  
25 I Rodney Belle jr. and my Girlfriend R. Garcia and Friend  
26 Ryan Scoot Spencer was falsely arrested also the sheriff  
27 mention I refused to open the Door and I mention my dad  
28

1 mention since there is a class action lawsuit and the cases  
2 has been join successfully, not to open the door without a  
3 Summon , Complaint and sign Warrant from a Magistrates, and  
4 I knew the former owner follow the court order from day one  
5 by surrender to the Landlord, etc.

6 said defendants made misleading statement and Omission of  
7 the nature of

8 According to The *Clearfield* Doctrine, *Clearfield Trust Co. v.*  
9 *United States*, 318 U.S. 363-371 (1942), which is *stare decisis*  
10 upon all courts in the United States and the State, states that  
11 "an entity cannot compel performance upon its corporate statutes  
12 or corporation rules unless it, like any other corporation, can  
13 contractually prove that it is the holder in due course of some  
14 negotiable instrument between it and the one on whom its demands  
15 for payment/performance are made, and it is willing to produce  
16 said document, and to place the same into evidence before trying  
17 to enforce its demands."

18 All the defendant mention in the above are Mortgage loan  
19 Servicing Company for a Secret Lender aka Private Lender/Bank  
20 can not show according to its alleged bank charter, its  
21 authorized to be the holder -in -due course of the none  
22 register, not to mention breach of trust for none disclosure  
23 insolvent third party bank & Charges.

24 "Breach of contract. Failure, without legal excuse, to  
25 perform any promise which forms the whole or part of a  
26 contract; unequivocal, distinct and absolute refusal to  
27



1 perform agreement." *Black's Law Dictionary*, 5<sup>th</sup> edition,  
2 page 171.

3 "Breach. The breaking or violating of a law, right, or  
4 duty, either by commission or omission." *Black's Law*  
5 *Dictionary*, 5<sup>th</sup> edition, page 170.

6 "Bank charges. This term in an action on a bill of exchange  
7 is equivalent to expenses of noting and may be especially  
8 endorsed as a liquidated demand." *Black's Law Dictionary*,  
9 4<sup>th</sup> edition, page 184.

10  
11  
12 The Consumer at Large, never had the opportunity to terminate  
13 Trustee and Successor and /or Nominee Lender& Trustee and  
14 "liquidate" the contract by graduate as the Settlor, who  
15 "settles property." the Insolvent Loan Servicing Company  
16 Ameriquest Mortgage Company/ Duetsche Bank and Trust Company,  
17 after the Former Owner Mrs. Ashley Paid in Full to Discharge  
18 said Debt, Which was Commercial Dishonor and bogus Foreclosures  
19 Proceeding commence, this is a breaches the contract, the Trust  
20 Deed, by not transferring title when the contract is executed,  
21 and the Plaintiff Reserved the right under the statute of fraud,  
22 and Misrepresentation of bank charter, and no remedy or claim of  
23 releif," thereby achieving "final settlement." *Black's Law*  
24 *Dictionary*, 4<sup>th</sup> edition:

25 "Settlement. Act or process of adjusting or determining; an  
26 adjusting; an adjustment between persons concerning their  
27  
28

1 dealings or difficulties; an agreement by which parties  
2 having disputed matters between them reach or ascertain  
3 what is coming from one to the other; a liquidation." Page  
4 1538.

5 "Liquidation. The act or process of settling or making  
6 clear, fixed, and determinate that which before was  
7 uncertain or unascertained; winding up a distribution of  
8 assets among creditors and stockholders." Page 1080.

9 "Wind up. To settle the accounts and liquidate the assets  
10 of a corporation, for the purpose of making distribution  
11 and dissolving the concern." Page 1775.

12 "Settle up. A term, colloquial rather than legal, which is  
13 applied to the final collection, adjustment, and  
14 distribution of the estate of a decedent, a bankrupt, or an  
15 insolvent corporation. It includes the processes of  
16 collecting the property, paying debts and charges, and  
17 turning over the balance to those entitled to receive it."  
18 Page 1538.

19 "Deed of settlement. The party who settles property is  
20 called the "settlor." Page 503.

21  
22  
23  
24 The Deed of Trust/ note with CUSIP Number, which is one  
25 requirement under the Clearfield doctrine for the Bank to be  
26 able to state a claim upon which relief can be granted.  
27  
28

1 failed to Gives, Full Disclosure of each defendants, Bank  
2 Charter to the General Public at large , for this Matter the  
3 plaintiff ,inquiry in good faith pursuant to fair debt  
4 collection, Entire Guidelines of General Accepting Accounting  
5 Principle, that Authorized none Register Promissory note without  
6 a CUSIP Number ,and the emit of letter or credit .  
7  
8  
9  
10

11 Declared and Attest, A Claim of Relief can be Granted by The  
12 following:

- 13 3) **the Security and Exchange Commission of 1933**  
14 4) Clearfield Doctrine & the General Accepting Accounting  
15 Principle  
16 **And** 3) Stare Decisis  
17 4) Vertical Stare Decisis  
18 5) Horizon Stare Decisis

19 The Defendants at all time Mention: DUETSCHKE BANK TRUST COMPANY  
20 Ameriquest Mortgage Company \_and that each Insolvent Bank aka  
21 Loan Servicing Company name Defendants DEUTSCHE BANK, NATIONAL  
22 TRUST COMPANY, Upon Request with the Secretary of State , of  
23 each Bank Charters, Breach by None Performance, Breach of Trust  
24 with the Fraudulent Intent.

25 According to The *Clearfield* Doctrine, *Clearfield Trust Co. v.*  
26 *United States*, 318 U.S. 363-371 (1942), which is *stare decisis*  
27 upon all courts in the United States and the State, states that  
28 "an entity cannot compel performance upon its corporate statutes  
or corporation rules unless it, like any other corporation, can  
contractually prove that it is the holder in due course of some  
negotiable instrument between it and the one on whom its demands

1 for payment/performance are made, and it is willing to produce  
2 said document, and to place the same into evidence before trying  
3 to enforce its demands."

4 DUETSCHER BANK TRUST COMPANY, Ameriquet Mortgage,  
5 Debra Bass, Captain O'Hara of the Temecula Police Department,  
6 Century 21 and Associates 1-100  
7 Johnny Espana of ERA Regency Realtor, Lieutenant Judge , Don  
8 Fortney, Veronica RICO, of Riverside Sheriff Department.

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10  
11  
12  
13 The Private Attorney General Bill, that Protect the Public,  
14 Interests through private litigation and Judicial Remedy for the  
15 Consumer Grievance, and how a claim of Relief can be Granted  
16 per- Security and Exchange Commission of 1934, and the  
17 Clearfield Doctrine, and Special choice-of laws -rules and  
18 Proceeding , Article III Court Proceeding according per  
19 Separations of power Act, and Common Law Rules.

20 Wherefore the Plaintiff prayer and the following:  
21 This Federal Tort and Government Tort by the Plaintiff under the  
22 Private Attorney General Bill. ) and any mention in  
23 Affirmative Fact after Federal Judge Boyko Dismiss Hundred of  
24 Bogus Foreclosures (Promissory Note without A CUSIP Number is  
25 Not Register of Foreign Security ,Securities fraud and Direct  
26 Violation of the Security and Exchange Commission , meaning why  
27 Federal Judge Boyko Chastised the CEO said name

1 The Private Attorney General Bill, that Protect the Public,  
2 Interests through private litigation and Judicial Remedy for the  
3 Consumer Grievance, and how a claim of Relief can be Granted  
4 per- Security and Exchange Commission of 1934, and the  
5 Clearfield Doctrine, and Special choice-of laws -rules and  
6 Proceeding , Article III Court Proceeding according per  
7 Separations of power Act, and Common Law Rules. CAVEAT Letter-  
8 Rogatory TO ALL Malfeasants Tort Waiver, Waiver of Tort  
9 Contractual Right of Implied Contracts, agreement (Between the  
10 Parties Petitioner & Respondents).  
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1           **Caveat Notice:** Provisions of this Implied agreement  
2 between the Parties shall not be construed as a waiver or  
3 limitation of that Secure Party's right agreement. The  
4 (Counterclaimant /Rodney Belle Jr.), shall not be deemed to have  
5 waived right under this agreement unless such waiver is given in  
6 writing and signed by All Right Reserved Waiver ,None Ever No  
7 delay or omission on the part of the Secure Party's Rodney Belle  
8 Jr in exercising a right shall operate as waiver of such right  
9 or any other right. A waiver by the Secure Party's Rodney  
10 Belle Jr of a provision of this agreement shall not prejudice  
11 or constitute a waiver of the Secured Party's Rodney Belle Jr  
12 guideline of Article 9 of the Uniform Commercial Code , further  
13 agreement between the Parties, waiver to the Insolvency Act of  
14 said amount of One Hundred Billion Dollar, lawful money Per day/  
15 the Secure Party /Lien Claimant who has a lien against said  
16 property , and the lien holder shall be paid pro rata if the  
17 value of the property is insufficient to pay all lien holders in  
18 full, whenever the consent of is required under this Agreement,  
19 the granting of such consent by the secure party in one instance  
20 shall not constitute consent over the whole.  
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at all time mention has the right otherwise to demand strict compliance with that provision or any other provision of this agreement. No prior waiver by (Rodney Belle Jr ) nor any course of dealing between (Rodney Belle Jr ) , and the Defendant DUETSCHER BANK TRUST COMPANY, Ameriquest Mortgage, Debra Bass, Captain O'Hara of the Temecula Police Department, Century 21 and Associates 1-100 Johnny Espana of ERA Regency Realtor, Lieutenant Judge , Don Fortney, Veronica RICO, of Riverside Sheriff Department.

/ Malfeasant's shall constitute a waiver if Default for failure to Cure All Human Rights Violation Per-Private Attorney General Bill of the Secure Party within time specified , said Breach of Duty , Forfeitures of All Respondents/ Debtor are obligations under this agreement as to future Transactions, Pursuant to the Guideline of Article 9 of the Uniform Commercial Code / United Nation Geneva Convention , The Rome Convention, Title 11 Adversary Proceeding according to Bankruptcy Code , further Waiver of Rights Waiver of Rights to 101(5) of the Bankruptcy Code, and section 54-70 Right to Payment , Waiver also includes Section 2242 / Section 2244 / Section 2246-50 provide that property shall be used to satisfy those creditors who have a lien against the Property , and that the lien-holder shall be paid pro rata , whether reduce to Judgment , Liquidated, fixed contingent, secure or unsecured; or right to equitable remedy for breach of performance is subjected to the Remedies under the

1 UCC 3-103 fraud, misrepresentation, duress, Estoppel, Bankruptcy,  
2 principal and agent law of contract.

3 UCC 3-103. Duty to act in good faith Requires honesty not  
4 dishonest/ reasonable Commercial Standard of fair Dealing.

5 UCC 403. Filing Public Record or upon Acceptance by Filing  
6 offer.

7  
8 UCC 1-201 (11) offer/ consideration/ Acceptance  
9

10 UCC 1-105 Territorial, Application of the act, practice, Power to  
11 choose, Application Law, choose law, conflict of Law.  
12

13 Payment of One Billion Dollar lawful money per day, U.S.  
14 \$1,000,000,000.00  
15

16 Nature of Crime

17 Police Brutality & Self Help , ( RICO) Racketeer and Corrupt  
18 Organization, Violation of the Criminal  
19 Enterprises Act , Conspiracy to Cover-ups , Security Fraud , of  
20 unregistered Foreign Security that has no  
21 assigned CUSIP Number , Obstruction of Proceeding of  
22 Legislative,  
23  
24

25 Damage Penalty Authority of Damage -Fraud \$1,000,000,000.00  
26

18USC 1001

27 13 counts Obstruction of Proceeding of Legislative  
28



1 \$5,000,000.000.00

2 18 USC 872

3 from count 13 (felony) (18USC 2112)

4 \$250,000,000.00 18USC 3571, 3623

5 Conspiracy \$250,000.00

6 \$18USC, 241

7 Racketeering (Criminal)

8 \$25,000,000,.00

9 \$18USC, 1963

10  
11 Conspiracy of Residential Burglary -Bogus Foreclosures -Violations  
12 of its Bank Charters

13 \$250,000.00 per day

14 18 USC 872 See attachment: International Bill of Exchange -United  
15 Nation Convention on International  
16 Bill of Exchange

17 upon default

18 Subtotal amount, see

19 attachment (A)

20  
21  
22 Racketeering (Civil Value) Whatever the actual damages are, that can  
23 be proven, multiplied by 3, triple the damages.

24 \$10,000.00 x 3 = \$ 18 USC, 1964

25  
26 100 Constitutional Violations .

27 (Human Rights violation)

\$9,250,000,000.00

1 Defendant DUETSCHKE BANK TRUST COMPANY Nominee, Successors  
2 Trustee and or Nominee Lenders for Ameriquest Mortgage Company  
3 loan servicing Company lack standing to bring Foreclosures  
4 against the consumers nor the public at large, and Knowing the  
5 essential fact the Emergency Bankruptcy of 1933, prohibited the  
6 lending of lawful money or emit letter of credit and defendants  
7 Mortgage company is missing key Documents and Proper register of  
8 securities, according to there Bank Charters that does not  
9 Authorized defendants to lend , Loan Lawful Money , Emit Letter  
10 of Credit and Counterfeit Securities by Emit of Letter of Credit  
11 and Creating a None Register Promissory Note with NO CUSIP  
12 Number , per- The Security and Exchange Commission of 1933 and  
13 1934 should be view as true and correct.

14  
15 1. the Riverside Sheriff Department does 1-100 and  
16 Marietta Police department should be impeach and  
17 Malfeasant Mrs. Bass should be subject to this  
18 Government Tort , for Outrageous and Unethical  
19 Business Practice of Declared Domestic War on the  
20 General Public at Large, for Ignore the Notice of  
21 Removal/Notice of Condemnation aka Eminent Domain and  
22 Joinder of Class Action Lawsuit. Seeking to enforce  
23 public accessibility, and Community of Interest in  
24 behalf of the General Public at Large Police  
25 Brutality and Corrupt Organization, Rico Enterprises  
26  
27  
28

Nov. 13, 2009                      Henceforth Submitted

22

JS 44 (Rev. 3/99)

## CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

## I. (a) PLAINTIFFS

Rodney Belle Jr  
C/o P.O. Box 352  
Spring Valley ca 91974  
San Diego

(b) County of Residence of First Listed Plaintiff  
(EXCEPT IN U.S. PLAINTIFF CASES)

'09 CV 2563 WQH POR

(c) Attorney's (Firm Name, Address, and Telephone Number)

Same

## DEFENDANTS

Johnny ESPINOZA  
ERA 4403  
Chino CA 91710  
Riverside

County of Residence of First Listed  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

Attorneys (If Known)

Same

## II. BASIS OF JURISDICTION

(Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff  
☒ 3 Federal Question (U.S. Government Not a Party)  
☐ 2 U.S. Government Defendant  
☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

## III. CITIZENSHIP OF PRINCIPAL PARTIES

(Place an "X" in One Box for Plaintiff and One Box for Defendant)

- Citizen of This State ☒ PTF ☐ DEF  
Citizen of Another State ☐ 2 ☐ 2 Incorporated and Principal Place of Business In Another State ☐ 5 ☐ 5  
Citizen or Subject of a Foreign Country ☐ 3 ☐ 3 Foreign Nation ☐ 6 ☐ 6

## IV. NATURE OF SUIT

(Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 362 Personal Injury—Med. Malpractice <input type="checkbox"/> 365 Personal Injury—Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 440 Other Civil Rights	<b>PRISONER PETITIONS</b> <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> Habeas Corpus: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	<b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609

## V. ORIGIN

(PLACE AN "X" IN ONE BOX ONLY)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judgment

## VI. CAUSE OF ACTION

(Cite the U.S. Civil Statute under which you are filing and write brief statement of cause. Do not cite jurisdictional statutes unless diversity.)

Title 42 1983, 1984, 1985

## VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No

## VIII. RELATED CASE(S) IF ANY

(See instructions): JUDGE

DOCKET NUMBER

DATE

10-13-2009

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE

W IFP pending pm